



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : : : LEGISLATIVE BRANCH

NOTIFICATION

The 25th October, 2017

No. LGL.135/2003/112.— The following Act of the Assam Legislative Assembly which received the assent of the Governor on 16th October, 2017 is hereby published for general information.

ASSAM ACT NO. XL OF 2017

(Received the assent of the Governor on 16th October, 2017)

THE ASSAM MUNICIPAL (AMENDMENT) ACT, 2017

AN ACT

further to amend the Assam Municipal Act, 1956.

Preamble Whereas it is expedient to amend the Assam Municipal Act, 1956, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam
Act
No.XV
of 1957.**

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows: -

**Short title,
extent and
commencement.**

1. (1) This Act may be called the Assam Municipal (Amendment) Act, 2017.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

**Amendment of
section 4.**

2. In the principal Act, in section 4, in sub-section (1), --
 - (i) in clause (d), in the first paragraph, the punctuation ":" appearing at the end, the punctuation mark ";" shall be substituted and thereafter the following new clause (e) shall be inserted, namely : --

"(e) to categorize the municipalities into different categories on the basis of population, area and such other criteria, as may be prescribed :

Provided that the existing town committees constituted under section 335 of the principal Act prior to commencement of this Amendment Act, shall stand converted to Municipal Boards and shall be categorized in the appropriate category of Municipalities on the basis of population, area and such other criteria, as prescribed under this provision:"

- (ii) in the existing proviso, in between the words "Provided" and "that", the word "further" shall be inserted.

**Amendment of
section 50.**

3. In the principal Act, in section 50, in sub-section (1), for the words "The Board at a meeting may", the words "Subject to the provisions of section 53, the Board at a meeting may" shall be substituted.

**Amendment of
section 53.**

4. In the principal Act, for existing section 53, the following shall be substituted, namely:-

**" Creation of posts
and appointment
of officers in
Municipality**

53. (1) Notwithstanding anything contained in this Act, the State Government shall create the following new services for the purpose of appointment in the Municipalities, namely :-

- (i) Assam Urban Administrative Service;
- (ii) Assam Urban Financial Service; and
- (iii) Assam Urban Engineering Service.

(2) (a) The State Government shall appoint an Executive Officer and such other officers, as may be required, for each and every Municipal Board from the cadre of Assam Urban Administrative Service and shall bear the expenditure in respect of pay and allowances of such officers:

Provided that till appointment of an Executive Officer is made in the Municipality from the cadre of Assam Urban Administrative Service, the State Government shall have the power to depute a Civil

Service Officer from the State Government in the Municipality concerned:

Provided further that the State Government shall also have the power to put one Executive Officer in the charge of more than one Municipal Board if they are contiguously situated in the same District or Sub-division ;

(b) the State Government shall appoint a Finance and Accounts Officer and such other officers, as may be required, for each and every Municipal Board from the cadre of Assam Urban Financial Service and shall bear the expenditure in respect of pay and allowances of such officers:

Provided that till appointment of Finance and Accounts Officer is made in the Municipality from the cadre of Assam Urban Financial Service, the State Government shall have the power to depute an officer of the State Finance Service in the Municipality concerned from the State Government;

(c) the State Government shall appoint Executive Engineer or Assistant Executive Engineer or Assistant Engineer and such other officers, as may be required, for each and every Municipal Board from the cadre of Assam Urban Engineering Service and shall bear the expenditure in respect of pay and allowances of such officers:

Provided that till appointment of Executive Engineer or Assistant Executive Engineer or Assistant Engineer is made in the Municipality from the cadre of Assam Urban Engineering Service, the State Government shall have the power to depute an Executive Engineer or an Assistant Executive Engineer or Assistant Engineer from any technical Department of the State Government.

(3) The State Government, shall by notification in the Official Gazette, frame service rules under the proviso to Article 309 of the Constitution of India, laying down the qualification, conditions of service including pay and allowances etc. for different cadres of services specified in this section."

Amendment of section 335. 5. In the principal Act, section 335 shall be omitted.

S. M. BUZAR BARUAH,
Commissioner & Secretary to the Government of Assam,
Legislative Department, Dispur.